



Docket No.: 211226US0X

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 09/938,641 ✓
Applicants: Achim MARX, et al.
Filing Date: August 27, 2001
Allowed Date: February 24, 2005
For: NUCLEOTIDE SEQUENCES WHICH CODE FOR
THE OXYR GENE
Group Art Unit: 1652
Examiner: K. Kerr

SIR:


Attached hereto for filing are the following papers:

Amendment Under 37 CFR 1.312

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

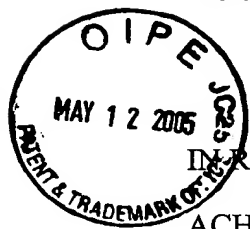

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

ACHIM MARX, ET AL. : EXAMINER: K. KERR

SERIAL NO: 09/938,641 : ALLOWED DATE: FEBRUARY 24, 2005

FILED: AUGUST 27, 2001 : GROUP ART UNIT: 1652

FOR: NUCLEOTIDE SEQUENCES :
WHICH CODE FOR THE OXYR GENE

AMENDMENT UNDER 37 C.F.R. 1.312

This application has been allowed, but the issue fee has not yet been paid.

Kindly amend claims 50 and 52 as shown below:

Amendments to the claims begin on page 2 of this paper.

Remarks begin on page 6.